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UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

In Re:

TIMOTHY A. JONES, and
KERRY ANN BAUER,

Debtor(s).

In Proceedings Under Chapter 7

Case No. 2:09-bk-23925-CGC

MOTION TO VACATE ORDER OF
DISMISSAL AND TO REINSTATE CASE

Now comes Debtors, Timothy A. Jones and Kerry Ann Bauer, by and through undersigned counsel, and moves this Honorable Court for an Order Reinstating the Case and Stay as to ALL CREDITORS. In support of his Motion, the Debtor states:

1. On September 24, 2009, Debtors filed a Chapter 7 Bankruptcy.
2. On November 09, 2009, the case was dismissed because Debtors failed to appear at the First Meeting of Creditors;
3. Debtors had not supplied the Trustee with all the documents he was requesting so they assumed that the First Meeting of Creditors would be cancelled.
4. Debtors have supplied the Trustee with all of the documents that Trustee has requested.
5. Debtors wish to have the case reinstated and the First Meeting of Creditors reset for a future date.

6. Reinstating this case will not be prejudicial nor will it create a hardship for any party.

WHEREFORE, Debtor moves this Honorable Court for the entry of an Order:

1. Vacating its November 9, 2009, Order of Dismissal;
2. Reinstating the Case and Stay with regards to all creditors; and
3. Such other relief as the court deems just and equitable under the circumstances.

/s/Benjamin Wright
Benjamin Wright #027003

Original Filed ECF and copies
mailed on this the 29th day of
December, 2009, to:

United States Trustee
230 North First Avenue, Suite 204
Phoenix, AZ 85003

Clerk of the U.S. Bankruptcy Court
230 North First Avenue, Suite 101
Phoenix, AZ 85003

DAVID A. BIRDSSELL
Trustee
216 N. CENTER
MESA, AZ 85201

TIMOTY JONES and KERRY ANN BAUER
34423 W. LOWER BUCKEYE ROAD
TONOPAH, AZ 85354

By: /s/ Craig Bowman